

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WP(C).No. 21820 of 2005(V)

PETITIONER:

JAMES LUKOSE, KIZHAKKETHOTTATHIL,
PANACHIPPARA P.O.

BY ADV. SRI.LIJJ.J.VADAKEDOM

RESPONDENTS:

1. MEENACHIL CO-OPERATIVE (AGRICULTURE
AND RURAL DEVELOPMENT) BANK, MEENACHIL, PALA.
2. SPECIAL SALE OFFICER,
MEENACHIL CO-OP. (AGRICULTURE AND RURAL
DEVELOPMENT) BANK, PALA.

BY ADV. SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.R.RAJEEV
FOR R1 SRI.SUNIL CYRIAC,SC,MEENACHIL CO-OP.ARD
SENIOR GOVERNMENT PLEADER, SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.M.JAMES, J.

W.P.(C) No. 21820 of 2005 (V)

Dated this the 2nd day of February, 2007

J U D G M E N T

When the writ petition was considered for admission on 22/07/2005, an order was passed as follows:-

“Notice before admission to R1. Government Pleader takes notice for R2. Interim stay for four months on condition that the petitioner deposits an amount of Rs.4,000/- each on or before 20th of every month commencing from August 2005. If the petitioner commits default in any deposit as aforesaid, this order will stand automatically recalled.”

2. The counsel for the first respondent submits that the writ petitioner did not remit any amount as ordered by this Court. The counsel, therefore, submits that the first respondent may be permitted to proceed against the writ petitioner, as per the law.

3. In the above facts situation, I am not inclined to pass any orders on merit. Nevertheless, in order to avoid unpleasant situations, I dispose of the writ petition, directing the

writ petitioner to approach the first respondent bank, with an one time settlement representation, within ten days from today. On receipt of the above representation, the first respondent shall hear the writ petitioner and pass appropriate orders on merit.

4. However, I make it clear that the first respondent shall be at liberty to proceed against the writ petitioner, according to the law, in case of any failure on his part to comply with the directions contained herein.

(J.M.JAMES)
Judge

ms